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1615  
#7  
YC  
4/10/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: De Raspede, M. P. F., *et al.*

Examiner: Pulliam, Amy E.

APPLICATION NO.: 09/912,774

Group Art Unit: 1615

FILING DATE: July 25, 2001

TITLE: PARTICULATE COMPOSITION OF  
ELETRIPTAN

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE**

This response is submitted in response to the Action issued January 13, 2003 in connection with the above-identified application. A response is due April 13, 2003. Accordingly, this response is being timely filed.

**REMARKS**

Claims 1 - 42 are now pending in the application after withdrawal of the restriction requirement. Claims 1 - 42 are unchanged. In view of the remarks below, applicants respectfully request reconsideration and withdrawal of the rejection set forth in the January 13, 2003 office action.

**Rejection under 35 USC § 112, first paragraph**

The Examiner rejected claims 13 and 14 under 35 USC § 112, first paragraph, for lack of enablement. The Examiner asserts that according to the specification the additional smooth coating would be found outside the first coating layer, while the claim recites that the additional layer is between the core and the first coating. Applicants respectfully traverse and refer the Examiner to page 6, lines 1 - 10 of the instant specification where on lines 4 - 7 it is stated "...an